

REMARKS

The Applicants thank the Examiner for the thorough consideration given the present application. Claims 1-13, 15, and 16 are pending. Claims 11 and 16 are amended, and claim 14 is cancelled herein without prejudice to or disclaimer of the subject matter contained therein. Claims 1 and 11 are independent. The Examiner is respectfully requested to reconsider the rejections in view of the amendments and remarks set forth herein.

Reasons for Entry of Amendments

At the outset, it is respectfully requested that this Amendment be entered into the Official File in view of the fact that the amendments to the claims automatically place the application in condition for allowance.

In the alternative, if the Examiner does not agree that this application is in condition for allowance, it is respectfully requested that this Amendment be entered for the purpose of appeal. This Amendment reduces the issues on appeal by placing the claims in compliance with 35 U.S.C. § 112, first and second paragraphs, and by canceling claim 14, thus reducing the number of pending claims. This Amendment was not presented at an earlier date in view of the fact that the Examiner has just now presented new grounds for rejection in this Final Office Action.

Allowable Subject Matter

The Examiner states that:

Claims 1 and 3-10 are allowed.

The Applicants appreciate the Examiner's early indication of allowable subject matter. Since dependent claim 2 depends from allowable independent claim 1, dependent claim 2 should be in condition for allowance also.

Rejection Under 35 U.S.C. § 112, first paragraph

Claims 14 and 16 stand rejected under 35 U.S.C. § 112, first paragraph. This rejection is respectfully traversed.

The Examiner states that the original specification does not disclose outer edge of an outer peripheral portion is elliptical in shape, as recited in claim 14, and that the original specification does not disclose the thicknesses of an upper and lower lip, as recited in claim 16.

In order to overcome this rejection, Applicants have cancelled claim 14 and have amended claim 16. Support for the amendment to claim 16 can be seen, for example, in paragraphs [0078] and [0100]. See also FIG. 11E.

Applicants respectfully submit that the claims, as amended, are fully supported by and adequately described in the written description of the invention. Accordingly, reconsideration and withdrawal of this rejection are respectfully requested.

Rejection Under 35 U.S.C. § 112, second paragraph

Claim 12 stands rejected under 35 U.S.C. § 112, second paragraph. This rejection is respectfully traversed.

The Applicants respectfully submit that there is sufficient antecedent basis of “the outer peripheral portion at the upper lip” and “the outer peripheral portion at the lower lip portion” in independent claim 11. See also paragraph [0037] of the original specification. The Applicants respectfully submit that claim 12 as currently written, particularly points out and distinctly claims the subject matter which the Applicants regard as the invention. Accordingly, reconsideration and withdrawal of this rejection are respectfully requested.

Rejections Under 35 U.S.C. §102(e)

Claims 2 and 11-16 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Surply et al. (U.S. 6,708,711). This rejection is respectfully traversed.

Complete discussions of the Examiner's rejections are set forth in the Office Action, and are not being repeated here.

Dependent Claim 2

As mentioned above, dependent claim should be allowable due to its dependence on allowed claim 1, or due to the additional novel features set forth therein.

Amendments to Independent Claim 11

While not conceding the appropriateness of the Examiner's rejection, but merely to advance the prosecution of the instant application, independent claim 11 has been amended to recite a combination of elements directed to a nacelle lip of an airplane engine, including *inter alia*

wherein a diameter of the inner peripheral portion is greatest at the lip top and is smallest at the inner edge of the inner peripheral portion, the diameter decreasing steadily between the lip top and the inner edge.

Support for the novel features above can be found in the specification, for example, in paragraphs [0035] and [0036]. See also FIGS. 3 and 4.

The Applicants respectfully submit that the combination of elements as set forth in independent claim 11 is not disclosed or made obvious by the prior art of record, including Surply et al.

In contrast to the invention set forth in independent claim 11, Surply et al. FIG. 2. merely discloses an annular lip 1 having an internal annular aerodynamic surface 5 with a diameter that increases in a direction away from the leading edge 7 toward the plane 9.

At least for the reasons explained above, the Applicants respectfully submit that the combination of elements set forth in independent claim 11 is not disclosed or made obvious by the prior art of record, including Surply et al. Therefore, independent claim 11 is in condition for allowance

All dependent claims are in condition for allowance due to their dependency from allowable independent claims, or due to the additional novel features set forth therein.

Accordingly, reconsideration and withdrawal of the rejections under 35 U.S.C. §102(e) are respectfully requested.

Application No. 10/828,301
Amendment dated May 15, 2006
Reply to Office Action of February 15, 2006

Docket No. 0943-0144PUS1
Art Unit: 3725
Page 11 of 11

CONCLUSION

Since the remaining patents cited by the Examiner have not been utilized to reject claims, but merely to show the state of the art, no comment need be made with respect thereto.

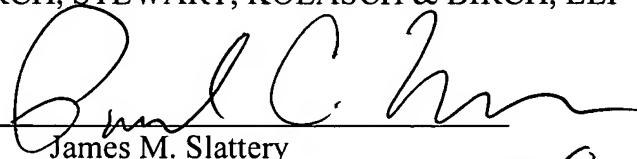
All of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. It is believed that a full and complete response has been made to the outstanding Office Action, and that the present application is in condition for allowance.

If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, he is invited to telephone Carl T. Thomsen (Reg. No. 50,786) at (703) 205-8000.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§1.16 or 1.17, particularly extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By 

James M. Slattery

Reg. No. 28,380

P. O. Box 747

Falls Church, VA 22040-0747

(703) 205-8000

JMS:CTT/kr/bsh 

#43,368